

A bill for an act

relating to public health; protecting the health of children; prohibiting
bisphenol-A in products for young children; proposing coding for new law in
Minnesota Statutes, chapter 325F.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[325F.172] DEFINITIONS.**

(a) For the purposes of sections 325F.172 to 325F.175, the following terms have
the meanings given them.

(b) "Child" means a person under three years of age.

(c) "Children's product" means a product designed or intended by a manufacturer to
be used by a child:

(1) as a toy;

(2) to facilitate feeding; or

(3) to be introduced into, or otherwise applied to, the human body or any part
thereof, including any article used as a component of such a product.

"Children's product" does not include food or beverage products contained in a can
except those used to contain infant formulas.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. **[325F.173] BISPHENOL-A IN CHILDREN'S PRODUCTS.**

By January 1, 2010, no manufacturer may sell or offer for sale in this state a new
children's product that contains bisphenol-A. As it applies to manufacturers of infant
formula containers, the date for compliance with this section is January 1, 2013.

2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.2 Sec. 3. **[325F.174] REPLACEMENT CHEMICALS.**

2.3 A manufacturer shall not replace bisphenol-A as a result of the prohibitions in
2.4 sections 325F.173 with a chemical that is:

2.5 (1) classified as "known to be a human carcinogen" or "reasonably anticipated to be
2.6 a human carcinogen" in the most recent Report on Carcinogens published by the National
2.7 Toxicology Program in the United States Department of Health and Human Services; or

2.8 (2) identified by the federal Environmental Protection Agency as causing birth
2.9 defects, hormone disruption, or harm to reproduction or development.

2.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.11 Sec. 4. **[325F.175] PARTICIPATION IN INTERSTATE CLEARINGHOUSE.**

2.12 The Pollution Control Agency may participate in the establishment and
2.13 implementation of a multistate clearinghouse to identify children's products containing
2.14 bisphenol-A and to evaluate safer alternatives that may be substituted for that chemical.

2.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.